REMARKS

Claims 1, 2, 4-10 and 12-14 are pending in this application. The claims of the present application have been subjected to a Restriction Requirement under 35 U.S.C. §121 and 37 C.F.R. §1.141.

The Examiner suggests that while the antisense compounds in claim 1 are targeted to and modulate the expression of a nucleic acid encoding human interferon gamma receptor 2, since the compounds are targeted to specific target regions of human interferon gamma receptor 2 the compounds are deemed to be structurally independent and distinct. The Examiner further suggests that a search of more than one of the preferred target region sequences recited in claim 1 presents an undue burden on the Patent Office due to the complex nature of the search. The Examiner further suggests that a search of the available databases produces a listing of references disclosing the sequence most similar to the query sequence. This is suggested to be the "place" that the Examiner searches for prior art. The prior art relating to another query sequence will not be found in the same "place". Thus, the Examiner suggests that a different search must be initiated for each target region and this would be burdensome. The Examiner has therefore required Applicants to elect one targeted

region of a nucleic acid encoding human interferon gamma receptor 2. Applicants respectfully traverse this restriction requirement.

MPEP §803 is quite clear; for a proper restriction requirement, it must be shown (1) that the inventions are independent or distinct AND (2) that there would be a serious burden on the Examiner if the restriction is not required. MPEP 802.01 defines "distinct" to mean that the "two or more subjects as disclosed are related, for example, as combination and part (subcombination) thereof, process and apparatus for its practice, process and product made there, etc., but are capable of separate manufacture, use, or sale, as claimed, AND ARE PATENTABLE (novel and unobvious) OVER EACH OTHER."

As acknowledged by the Examiner, all of the identified compounds of claim 1 share the ability to target a common structure, namely human interferon gamma receptor 2 (SEQ ID NO: 3). Thus, Applicants respectfully disagree with the Examiner's suggestion that the sequences are distinct as being novel and unobvious over each other as required by MPEP § 802.01. Further, Applicants disagree that any undue burden is presented to the Patent Office, as a search initiated for SEQ ID NO:3, would reveal

art relevant to all of the target regions. Applicants respectfully request reconsideration and withdrawal of this restriction requirement.

However, in an earnest effort to be completely responsive, Applicants hereby elect to prosecute nucleobases 1000 through 1092 as the targeted region, with traverse.

Respectfully submitted,

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